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From: Gordon, David L. (ENRD)
Sent: Friday, May 01, 2009 5:22 PM
To: 'Joel_Gross@aporter.com'; 'O'Grady, Dennis'; 'dgoldstein@ispcorp.com'; 'CWills@ispcorp.com'
Cc: Shawley, Dianne (ENRD)
Subject: G-I -- US and VT Revisions to the Consent Decree

Joel,

Please find the United States and Vermont's revisions to the Consent Decree. There are a few items we wanted flag. First, with respect to the VAG covenants by the United States, paragraph 100 resolves all civil causes of action of EPA "alleged in the Complaint," and paragraph 104 provides a broader covenant under CERCLA, RCRA, FWPCA and CAA. Second, we included a tolling provision related to the Linden Sites. We believe this is consistent with our objective to delay resolution of the US claims for these sites so that all parties have a meaningful opportunity to analyze Linden and so that we may attempt settlement.

Enjoy your weekend,

David

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(See attached file: ENV_ENFORCEMENT-#1423204-v1-G-I_US_Comments_on_Consent_Decree.DOC)